

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.52748 of 2025**

Arising Out of PS. Case No.-206 Year-2024 Thana- MEDNI CHAUKI District- Lakhisarai

Raja Mahto @ Raju Kumar @ Raja Kumar S/o Bahadur Mahto, R/o Village -  
Khawa Chandra Tola, P.S. - Mednichowki, Dist.- Lakhisarai.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

**Appearance :**

For the Petitioner/s : Mr. Brajesh Sahay, Advocate  
For the Opposite Party/s : Mr. Shailendra Kumar, APP

**CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA**  
**ORAL ORDER**

2      22-08-2025                      Heard learned counsel for the petitioner and  
learned APP for the State.

2. The petitioner seeks bail in a case registered for  
the offences punishable under Sections 103(1) and 238 read  
with Section 3 (5) of the B.N.S., 2023.

3. Earlier the petitioner had moved before this  
Court for grant of regular bail in Cr. Misc. No. 15343 of 2025  
which was rejected *vide* order dated 26.05.2025 (Annexure-P/1),  
with a liberty to the petitioner to renew his prayer for bail after  
framing of charge.

4. As per the prosecution case, the petitioner along  
with other FIR named accused persons came to the house of the  
informant and had called her husband and taken him along with  
them, the husband did not come back home and hence, the



informant suspects the complicity of all the accused persons including the present petitioner in causing the death of her husband.

5. Learned counsel for the petitioner submits that the petitioner and other accused persons have been made accused in the present case merely on the basis of suspicion and even as per the confessional statement of the present petitioner, recorded in paragraph no. 9 of the case diary, the main allegation of assaulting the deceased is on one Rakesh Mahto and there is subsequent allegation against all the accused persons of putting the deceased in water. He further submits that there is a delay of two days in lodging of the FIR. The *post-mortem* report also shows that the cause of death of the deceased is due to asphyxia and shock due to *ante-mortem* drowning. He next submits that the similarly situated co-accused person namely, Shambhu Mahto @ Sanjeet Kumar has already been granted bail by this Court *vide* order dated 05.08.2025 passed in Cr. Misc. No. 46933 of 2025 after framing of charge. Petitioner carries criminal antecedent of two cases, however, he is on bail in both the cases. Learned counsel lastly submits that the petitioner is in custody since 18.09.2024 and charge has been framed in this case on 18.06.2025 mentioned in



paragraph no. 11 of the bail application (Annexure-P/3).

6. Learned Additional Public Prosecutor for the State, however, vehemently opposes the prayer for grant of bail to the petitioner.

7. Considering the aforesaid facts and circumstances of the case and further in view of the liberty earlier granted by this Court, the petitioner, above-named, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-III, Lakhisarai / successor Court, in connection with **Mednichowki P.S. Case No. 206 of 2024**, on further condition:

*(i) Petitioner shall fully cooperate in the trial and in the case of his non-cooperation, the learned trial Court will be at liberty to cancel the bail bonds of the petitioner.*

**(Soni Shrivastava, J)**

Shahnawaz/-

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